

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSE QUINTANA,	:	
Petitioner,	:	Civ. No. 13-7135 (KM)
v.	:	MEMORANDUM AND ORDER
ADMINISTRATOR, et al.,	:	
Respondents.	:	

Petitioner, Jose Quintana, is a state prisoner currently incarcerated at the New Jersey State Prison in Trenton, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Previously, on February 25, 2014, this matter was administratively terminated as Mr. Quintana had neither paid the \$5.00 filing fee nor submitted a complete application to proceed *in forma pauperis*. (See Dkt. No. 3.) Almost one year later, on January 26, 2015, this Court received Mr. Quintana's notice of appeal and motion to deem his appeal timely. (See Dkt. Nos. 4 & 5.) On February 6, 2015, I denied Mr. Quintana's motion to deem his appeal to have been filed on time. (See Dkt. Nos. 6 & 7.) I instructed Mr. Quintana that if he wanted to proceed with his habeas petition, he had to either pay the \$5.00 filing fee or submit a complete application to proceed *in forma pauperis*. The Clerk was ordered to send Mr. Quintana a blank copy of an application to proceed *in forma pauperis* by a prisoner in a habeas corpus case.

In April, 2015, Mr. Quintana submitted a letter indicating that he never received a copy of the blank application form to proceed *in forma pauperis*. (See Dkt. No. 9-1 at p. 6.) Therefore, on May 14, 2015, the Clerk was ordered to send Mr. Quintana another blank application form to proceed *in forma pauperis*. (See Dkt. No. 11.)

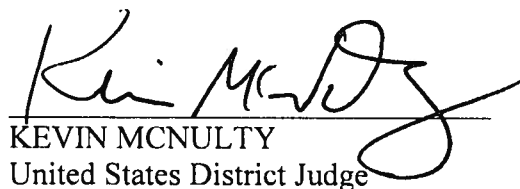
On June 29, 2015, this Court received Mr. Quintana's application to proceed *in forma pauperis*. Therefore, the Clerk will be ordered to reopen this case. Mr. Quintana's application to proceed *in forma pauperis* will be granted based on the information provided therein. This Court will provide Mr. Quintana with the required notice pursuant to *Mason v. Myers*, 208 F.3d 414 (3d Cir. 2000) in a separate Order.

Accordingly, IT IS this 24th day of July, 2015,

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that petitioner's application to proceed *in forma pauperis* (Dkt. No. 13) is granted; and it is further

ORDERED that the Clerk shall serve this Order on petitioner by regular U.S. mail.


KEVIN MCNULTY
United States District Judge